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Sixty-first session
Agenda item 13
The situation in the Middle East

Security Council
Sixty-second year

Identical letters dated 8 February 2007 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

I write to inform you and express my concern regarding an incident that took place yesterday, Wednesday, 7 February 2007, along the northern border.

Yesterday, while clearing mines in a salient inside Israeli territory, north of the border fence but south of the Blue Line, Israeli soldiers were fired on by the Lebanese Army. In response, the Israel Defense Forces returned fire.

It should be underscored that the IDF was operating in sovereign Israeli territory. Additionally, the IDF was conducting a legitimate operation to remove mines and other explosive devices in the area. I refer you to the incident which took place earlier this week, on 5 February 2007, where Israeli soldiers discovered a cluster of explosive devices in close proximity to the Blue Line.

The IDF had also informed the United Nations Interim Force in Lebanon well in advance of its intent to operate in this area, and asked that the information be shared with the Lebanese Army. The Lebanese Army's firing at IDF soldiers is a violation of Israeli sovereignty and endangerment of their lives. Israel returned fire only after repeated Lebanese fire came dangerously close to the Israeli soldiers, who were, as stated, in Israeli territory. As such, returning the fire was entirely legitimate and in self-defence.

I assure you that Israel obviously does not seek an escalation on the border, but will work to secure and remove threats such as landmines, and certainly defend itself when attacked. Israel intends to continue to operate within the political and regulatory framework established in recent months.

I should be grateful if you would arrange to have the text of the present letter circulated as a document of the sixty-first session of the General Assembly under agenda item 13. An identical letter has been sent to H.E. Mr. Peter Burian, President of the Security Council

(*Signed*) Dan **Gillerman**
Ambassador
Permanent Representative

07-23282 (E) 080207

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General Assembly
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Agenda items 81, 87 and 93
Report of the International Atomic Energy Agency

Establishment of a nuclear-weapon-free zone in the region of the Middle East

The risk of nuclear proliferation in the Middle East

Security Council
Sixty-second year

Letter dated 8 February 2007 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

In my capacity as Chair of the Coordinating Bureau of the Non-Aligned Movement, I have the honour to enclose herewith the statement of the Coordinating Bureau of the Non-Aligned Movement on the recent statement of the Israeli Prime Minister Regarding Israel's possession of nuclear weapons (see annex).

Furthermore, I kindly request that the above-mentioned document be circulated as a document of the General Assembly, and of the Security Council.

(*Signed*) Rodrigo **Malmierca Díaz**
Ambassador
Permanent Representative of Cuba to the United Nations
Chair of the Coordinating Bureau of the Non-Aligned Movement

07-23368 (E) 090207

Annex to the letter dated 8 February 2007 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

Statement of the Coordinating Bureau of the Non-Aligned Movement on the recent statement of the Israeli Prime Minister regarding Israel's possession of nuclear weapons

The Coordinating Bureau of the Non-Aligned Movement in New York considered at its meeting on 16 January 2007 the statement made by the Prime Minister of Israel on 11 December 2006, in which he publicly admitted the possession of nuclear weapons by Israel.

The Coordinating Bureau, gravely concerned by the statement, reaffirmed the principled positions of the Movement on nuclear disarmament and non-proliferation reflected in various Non-Aligned Movement documents, including the Final Document of the Fourteenth Conference of Heads of State or Government of the Non-Aligned Movement, held in Havana, Cuba, from 11 to 16 September 2006.

The Coordinating Bureau reiterated its support for the establishment in the Middle East of a zone free of all weapons of mass destruction. To that end, the Bureau reaffirmed the need for the speedy establishment of a nuclear-weapons-free-zone in the Middle East in accordance with Security Council resolution 487 (1981), and paragraph 14 of Security Council resolution 687 (1991), and the relevant General Assembly resolutions adopted by consensus, and stressed that necessary steps should be taken in different international forums for the establishment of the zone.

The Coordinating Bureau expressed its great concern over the acquisition of nuclear capability by Israel, which poses a serious and continuing threat to the security of neighbouring and other States, and condemned Israel on its action and the statement in that regard, and for continuing to develop and stockpile nuclear arsenals.

The Coordinating Bureau demanded that Israel, the only one in the region that has not joined the Treaty on the Non-Proliferation of Nuclear Weapons nor declared its intention to do so, to renounce possession of nuclear weapons, to accede to the Treaty on the Non-Proliferation of Nuclear Weapons without delay, to place promptly all its nuclear facilities under International Atomic Energy Agency full-scope safeguards according to Security Council resolution 487 (1981), and to conduct its nuclear-related activities in conformity with the non-proliferation regime.

New York, 5 February 2007

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Agenda items 13 and 14

The situation in the Middle East

Question of Palestine

Security Council
Sixty-second year

Letter dated 9 February 2007 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

In may capacity as Chairman of the Organization of the Islamic Conference (OIC) Group at the United Nations in New York, I have the honour to transmit herewith a statement issued by the OIC Group on 8 February 2007 concerning the grave situation in occupied East Jerusalem (see annex).

I should be grateful if the present letter and its annex were to be urgently distributed as a document of the sixty-first session of the General Assembly, under agenda items 13 and 14, and of the Security Council.

(*Signed*) Agshin **Mehdiyev**
Ambassador
Permanent Representative

07-23447 (E) 120207

Annex to the letter dated 9 February 2007 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

Statement issued by the Ambassadorial Level Meeting of the Organization of the Islamic Conference (OIC) Group to the United Nations on 8 February 2007

The OIC Group at the United Nations in New York met on 8 February 2007, at the Ambassadorial level, to consider the grave situation in occupied East Jerusalem, as a result of Israeli aggression against the Holy City and the blessed Al-Aqsa Mosque, and issued the following statement:

The OIC Group at the United Nations in new York expresses its strong condemnation of Israel's heinous aggression against the blessed Al-Aqsa Mosque and the holy City of Al-Quds Al-Shareef by demolishing a historic road connecting Bab Al-Maghariba with the Holy Al-Aqsa Mosque Compound, in addition to two rooms adjacent to Al-Buraq Wall. The OIC Group also condemns Israel's continued excavation works beneath the Holy Al-Aqsa Mosque Compound, undermining its foundations and threatening it with collapse. The OIC Group considers these acts and measures taken by Israel, the occupying Power, a provocation to the feelings and sentiments of more than one billion Muslims in the world. The OIC Group denounces Israel's continued policy in denying Palestinian worshippers access to their religious sites.

The OIC Group stresses that these Israeli provocative actions are not the first of their kind. Since 1968, the Security Council has adopted 16 resolutions, particularly resolution 465 (1980), and has repeatedly declared that measures and arrangements taken by Israel, the occupying Power, which aim at changing the legal status, demographic composition and character of the City of Al-Quds Al-Shareef are null and void and without any legal validity whatsoever. Further more, the Security Council has repeatedly reaffirmed the applicability of the Fourth Geneva Convention of 1949 to all the territories occupied by Israel in 1967, including East Jerusalem.

The OIC Group stresses that Israel, the occupying Power, by escalating its aggression against Al-Quds Al-Shareef, and creating new facts on the ground, raises doubts over its seriousness to resume the peace process which aims at achieving a just settlement of the Palestinian question, seriously threatens all efforts exerted to revive the political process, and aborts any possibility for negotiations on the final status issues, particularly the issue of Al-Quds Al-Shareef.

The OIC Group, reaffirming the centrality of the cause of Al-Quds Al-Shareef for the whole Islamic Ummah, affirms the firm position of the Organization of the Islamic Conference, for which the cause of Palestine and Al-Quds Al-Shareef was the raison d'être, on the preservation of the Arab and holy characters of the City of Al-Quds Al-Shareef.

The OIC Group, emphasizing the need to prevent further escalation in the situation in the region, calls upon the Security Council, as the body responsible for maintaining international peace and security, to take immediate and urgent action in order to bring an end to Israeli intransigence and violations against the blessed Al-Aqsa Mosque and Al-Quds Al-Shareef, and to guarantee Israel's respect for the Council's resolutions and for international law, particularly international humanitarian law.

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Security Council

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General Assembly
Sixty-first session
Agenda item 100
Measures to eliminate international terrorism

Security Council
Sixty-second year

Letter dated 8 February 2007 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a statement issued by the Ministry of Foreign Affairs of the Republic of Cuba, dated 5 February 2007, concerning the fact that on 31 January 2007, the Government of the United States employed a new legal subterfuge to avoid indicting Luis Posada Carriles for what he really is: a murderer and a terrorist (see annex).

I should be grateful if you would have this letter circulated as a document of the General Assembly under agenda item 100, and of the Security Council.

(*Signed*) Rodrigo **Malmierca Díaz**
Ambassador
Permanent Representative

07-23490 (E) 130207 140207

Annex to the letter dated 8 February 2007 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

Statement issued by the Ministry of Foreign Affairs of the Republic of Cuba

On 31 January 2007, the Government of the United States of America employed a new legal subterfuge to avoid indicting Luis Posada Carriles for what he really is: a murderer and a terrorist.

The people of Cuba will recall that on 15 January 2007, in response to the indictment of Luis Posada Carriles by the Government of the United States on 11 January 2007 on charges of naturalization fraud and making false statements in a naturalization proceeding, the Ministry of Foreign Affairs clearly stated its hope that "this indictment of the terrorist Posada Carriles for minor immigration offences will not be used as a smokescreen to allow him to go unpunished for the serious crime of terrorism".

The United States Government had until 1 February to file charges with Judge Philip Martinez of El Paso, Texas, to prevent the granting of the application for habeas corpus filed by the notorious terrorist's defence which, if granted, would have led to his release. It was therefore hoped that the United States Government would have indicted Posada Carriles by 1 February on charges of terrorism, concerning which, as indicated in the aforementioned statement by the Ministry of Foreign Affairs and reiterated once again today, it has "full knowledge and evidence".

Furthermore, on 5 October 2006, the Immigration and Customs Enforcement branch of the United States Department of Homeland Security informed Luis Posada Carriles that he would remain in federal custody because "you have a history of engaging in criminal activity and of associating with individuals and organizations that promote and use terrorist violence".

However, on 31 January 2007, the United States Attorney General's Office filed a motion for dismissal of the application for habeas corpus on the grounds of inadmissibility, alleging only that Posada Carriles is no longer in the custody of the Department of Homeland Security, which is responsible for United States immigration services, but in the custody of the Department of Justice, following the criminal proceedings initiated on 11 January 2007 for fraud and false testimony. In other words, the argument of the United States Government is that Posada Carriles cannot be released not because he is a terrorist, but because he is a liar.

The Ministry of Foreign Affairs wishes to remind the Government of the United States that article 7 of the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed in Montreal on 23 September 1971 and to which the United States is a party, establishes that "[t]he Contracting State in the territory of which the alleged offender is found shall, if it does not extradite him, be obliged, without exception whatsoever and whether or not the offence was committed in its territory, to submit the case to its competent authorities for the purpose of prosecution".

A similar provision is contained in the International Convention for the Suppression of Terrorist Bombings, which entered into force on 23 May 2001 and to which the United States is also a party.

On behalf of the Cuban people and the families of the victims, the Ministry of Foreign Affairs would like to remind the President of the United States, George W. Bush, that, on 26 August 2003 in St. Louis, Missouri, he himself said that "if you harbour a terrorist, if you support a terrorist, if you feed a terrorist, you're just as guilty as the terrorists".

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Sixty-first session
Agenda items 13 and 14

The situation in the Middle East

Question of Palestine

Security Council
Sixty-second year

Identical letters dated 9 February 2007 from the Permanent Representative of Kuwait to the United Nations addressed to the Secretary-General and the President of the Security Council

In my capacity as Chairman of the Arab Group and at the behest thereof, I should like to draw your attention to the recent escalation triggered by the Israeli occupying power, consisting in the carrying out of excavation work in the sensitive area surrounding Al-Haram al-Sharif (sacred precinct of Al-Aqsa Mosque) in the city of Al-Quds al-Sharif, where Israeli equipment has carried out operations of demolition and excavation of the historic way leading to the Maghariba Gate, one of the principal gates connected with the Western Wall of the Haram al-Sharif, on flimsy pretexts, i.e., the rebuilding of the path, alleging that this will not affect the foundations of the Al-Aqsa Mosque.

The States members of the Arab Group condemn these acts, which constitute a dangerous escalation and flagrant aggression against Islamic holy places, and consider the provocative measures taken by Israel as constituting a clear violation of the relevant General Assembly and Security Council resolutions, in particular Security Council resolution 465 (1980). In those resolutions, the international community emphasized that all measures taken by Israel, the occupying power, including legislative and administrative measures, aimed at altering the legal status of the occupied city of Al-Quds and its demographic structure, are null and void. In many of its resolutions, moreover, the Security Council reaffirmed the applicability of the fourth Geneva Convention of 1949 to all territories occupied by Israel since 1967, including Al-Quds.

The fact that Israel, the occupying power, has carried out this grave act of aggression casts doubt on its earnestness regarding the reactivation of the peace process aimed at a just settlement of the Palestinian question on the basis of the resolutions constituting international legitimacy, first and foremost Security Council resolutions 242 (1967) and 338 (1973), the principle of land for peace, the road map and the Arab peace initiative.

07-23522 (E) 120207 120207

What is more, such practices can only preclude any possibility of negotiations on final solution issues, the most important being the question of Al-Quds, through the creation of new facts on the ground aimed at imposing a fait accompli and prejudicing the outcome of the negotiations.

The members of the Arab Group, warning of the consequences of continued demolition and excavation work to obliterate Islamic landmarks in the area surrounding Al-Aqsa Mosque, owing to the negative repercussions and grave consequences of such acts on peace and security in the region, call upon the Security Council, as the body charged under the Charter of the United Nations with maintaining international peace and security, to take immediate emergency measures to put a stop the Israeli Government's plans and prevail upon it to respect the resolutions constituting international legitimacy.

I should be grateful if you would have this letter circulated as a document of the General Assembly and of the Security Council.

Accept, Sir, the assurances of my highest consideration.

(*Signed*) Abdullah Ahmed Mohamed **Al-Murad**
Chairman of the Arab Group and Permanent Representative
of the State of Kuwait to the United Nations

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Security Council

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General Assembly
Sixty-first session
Agenda item 27
Protracted conflicts in the GUAM area and their implications for international peace, security and development

Security Council
Sixty-second year

Identical letters dated 9 February 2007 from the Chargé d'affaires a.i. of the Permanent Mission of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit the statement of the Ministry for Foreign Affairs of Georgia dated 9 February 2007 regarding Security Council resolution 1716 (2006) dated 13 October 2006 (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 27, and of the Security Council.

(*Signed*) Irakli **Chikovani**
Chargé d'affaires a.i.

07-23428 (E) 120207

Annex to the identical letters dated 9 February 2007 from the Chargé d'affaires a.i. of the Permanent Mission of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

With reference to the report by the Secretary-General of 11 January 2007 (S/2007/15), the Ministry for Foreign Affairs of Georgia reiterates that, as a responsible State and a member of the international community, Georgia strictly follows the requirements of Security Council resolution 1716 (2006) of 13 October 2006 regarding the situation in Abkhazia, Georgia, in particular with respect to the Kodori Valley (Upper Abkhazia).

The aforementioned is confirmed by the United Nations Observer Mission in Georgia (UNOMIG), which carried out two patrols of the Valley — in October and December 2006. The resumption of patrols has become possible following the Georgian police operation in the Valley aimed at restoring law and order there. It is worth mentioning that, according to a series of Security Council resolutions, the Georgian side was obliged to ensure necessary security conditions on this territory to allow for such patrolling.

According to the UNOMIG statements, only the presence of Georgian policemen was detected in the Kodori Valley. It should be stressed that the number of law enforcement personnel deployed there is gradually decreasing (from 550 to 270) and only the staff necessary to maintain law and order and ensure security conditions for the population of the region are present.

In conformity with the UNOMIG statement issued on 22 December 2006, the patrol did not observe any deployment of heavy weapons. In addition, United Nations military observers personally witnessed the destruction of weapons and ammunition seized as a result of police operations in the Kodori Valley (Upper Abkhazia).

The Georgian side reaffirms its readiness to continue cooperation with UNOMIG and other actors involved in the peace process in order to achieve a political resolution of the conflict on the basis of the principle of Georgia's territorial integrity within its internationally recognized borders.

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General Assembly
Sixty-first session
Agenda item 13
The situation in the Middle East

Security Council
Sixty-second year

Identical letters dated 12 February 2007 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

With reference to the confrontation along the blue line between the Israeli armed forces and the Lebanese armed forces on 7 February 2007, the Government of Lebanon noted the briefing given by the Under-Secretary-General for Peacekeeping Operations to members of the Security Council on 8 February, which highlighted the actual sequence of events on the ground. While awaiting the results of the investigation conducted by the United Nations Interim Force in Lebanon (UNIFIL), the Government of Lebanon regretted that the contents of the statement attributed to the Spokesperson of the Secretary-General failed to include all aspects of the incident.

The facts, received from the Lebanese competent authorities, were as follows:

Israel claimed that it was conducting demining activities by night in an area where the blue line is not easily identified. However, the Lebanese armed forces conveyed a message through UNIFIL of the need to postpone Israel's activities until the morning, when there would be no confusion as to where the blue line was located. The Lebanese armed forces clearly stated that they would shoot at anyone who violated the blue line.

Nevertheless, Israeli armed forces persisted, ignoring the Lebanese warning. Their bulldozer breached the technical fence and continued to advance, by 50 metres wide and 30 metres deep, into Lebanese territory. The incident took place at the same location where the Israeli armed forces had shot at and destroyed four improvised explosive devices on the Lebanese side of the blue line two days earlier, near UNIFIL position 6-52.

While reiterating its full commitment to implement Security Council resolution 1701 (2006) and the readiness of the Lebanese armed forces to continue their close cooperation with UNIFIL, the Government of Lebanon believes that any Israeli breach or violation of the blue line should be condemned.

07-23568 (E) 120207

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 13, and of the Security Council.

(*Signed*) Caroline **Ziade**
Chargé d'affaires a.i.